

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Marc K. HELLERSTEIN

Application No.: 10/526,860

Confirmation No.: 5469

Filed: (Intl.) September 4, 2003

Art Unit: 1648

For: METHODS FOR MEASURING THE RATES  
OF REPLICATION AND DEATH OF  
MICROBIAL INFECTIOUS AGENTS IN AN  
INFECTED HOST ORGANISM

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Examiner: S. B. Chen

**RESPONSE TO FINAL ACTION UNDER 37 C.F.R. 1.114**

MAIL STOP: RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This is in response to the final Office Action dated May 23, 2008 (Paper No. 20080521), for which a response was due on August 23, 2008. Filed herewith is a Petition and fee for a 1 month extension of time, thereby extending the deadline for response to September 23, 2008. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.